



Westfield City Council Report

Ordinance Number:	15-13
APC Petition Number:	1506-PUD-10
Petitioner:	Denese & James Stachowiak
Requested Action:	An amendment to the Viking Meadows Planned Unit Development (PUD) District to modify Minimum Rear Yard building setback to apply to lot 17 in the Two Gaits section.
Current Zoning:	Viking Meadows PUD District
Current Land Use:	Single Family Dwelling
Exhibits:	<ol style="list-style-type: none">1. Staff Report2. Location Map3. PUD District Ordinance4. Site Plan5. APC Certification
Prepared by:	Andrew Murray, Associate Planner

PETITION HISTORY

This petition was introduced at the May 11, 2015, City Council meeting. The petition received a public hearing and favorable recommendation (Vote: 7-0) at the June 1, 2015, Advisory Plan Commission (the "APC") meeting. This petition is eligible for adoption consideration at the June 8, 2015, City Council meeting.

PROCEDURAL

City Council: The PUD Amendment Ordinance was introduced to the City Council at the May 11, 2015, meeting.

Public Hearing: Changes in zoning are required to be considered at a public hearing by the APC. The public hearing for this petition was held on June 1, 2015, at the APC meeting. Notice of the public hearing was provided in accordance with Indiana law and the APC's Rules of Procedure.

Statutory Considerations:

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.

2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

PROJECT OVERVIEW

Project Location: The Property is Lot 17 in the Viking Meadows subdivision section, known as Two Gaits. The Two Gaits section is generally located at the southeast corner of 156th Street and Oak Ridge Road (the “Property”) (see **Exhibit 2**).

Amendment Request: The requested amendment to the Viking Meadows PUD Ordinance would modify the Property’s Minimum Rear Yard Building Setback requirement (the “PUD District Ordinance”, see **Exhibit 3**). The Petitioner is requesting approval to reduce the Minimum Rear Yard Building Setback Line from twenty-five (25) feet to six (6) feet to accommodate the construction of a swimming pool. Swimming pools are required to meet the same minimum Building Setback Lines as the Principal Building to which they are accessory.

RECOMMENDATIONS / ACTIONS

APC Recommendation

At its June 1, 2015, meeting, the APC forwarded a favorable recommendation of this petition to the Council (Vote of: 7 in favor, 0 opposed) (see **Exhibit 5**).

City Council

Introduction: May 11, 2015

Eligible for Adoption: June 8, 2015

Submitted by: Andrew Murray, Associate Planner
Economic and Community Development Department